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Hiawatha Coal Company

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Coal Program
Utah Division of Oil, Gas & Mining
1594 West North Temple, Suite 1210
P.O. Box 145801
Salt Lake City, Utah 84114-5801

December 2, 2002

OK

To Whom It May Concern,

C/007/011

Re: Response to May 1, 2002 Division Order, AM02B, Hiawatha Complex,
C/007/011.

As a result of an informal conference on May 1, 2002 the Division issued an order to update the PHC and Chapter 7. In response to this order, amendment AM02B was submitted. On August 8, 2002 the Division returned a Technical Analysis outlining the deficiencies in AM02B. In response to that Technical Analysis we are resubmitting AM02B with the changes outlined in the Technical Analysis.

Following is a letter where each of the deficiencies is listed followed by our response to the deficiency. The amendment has also been converted to pdf format and links have been set up to aid in the review process. The links are identified with blue text.

Enclosed are seven (7) copies of the amendment.

If you have any questions, please call Mark at (435) 687-2450.

Sincerely,



C. A. Gustafson
Secretary

MR
Enclosure(s)

RECEIVED

DEC 03 2002

DIV. OF OIL, GAS & MINING

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change ☒ New Permit ☐ Renewal ☐ Exploration ☐ Bond Release ☐ Transfer ☐

Permittee: HIAWATHA COAL CO.

Mine: HIAWATHA COMPLEX

Permit Number: ACT/007/011

Title: Hydrology Update

Description: Include reason for application and timing required to implement:

This is in response to a Division Order issued during the last permit renewal.

Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- | | |
|---|---|
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 1. Change in the size of the Permit Area? Acres: _____ Disturbed Area: _____ <input type="checkbox"/> increase <input type="checkbox"/> decrease. |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 2. Is the application submitted as a result of a Division Order? DO# _____ |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 4. Does the application include operations in hydrologic basins other than as currently approved? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 6. Does the application require or include public notice publication? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 7. Does the application require or include ownership, control, right-of-entry, or compliance information? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 9. Is the application submitted as a result of a Violation? NOV # _____ |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 10. Is the application submitted as a result of other laws or regulations or policies? |
| <i>Explain:</i> _____ | |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 11. Does the application affect the surface landowner or change the post mining land use? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2) |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 13. Does the application require or include collection and reporting of any baseline information? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 15. Does the application require or include soil removal, storage or placement? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 16. Does the application require or include vegetation monitoring, removal or revegetation activities? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 17. Does the application require or include construction, modification, or removal of surface facilities? |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 18. Does the application require or include water monitoring, sediment or drainage control measures? |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 19. Does the application require or include certified designs, maps or calculation? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 20. Does the application require or include subsidence control or monitoring? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 21. Have reclamation costs for bonding been provided? |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream? |
| <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 23. Does the application affect permits issued by other agencies or permits issued to other entities? |

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

C.A. Gustafson
Print Name

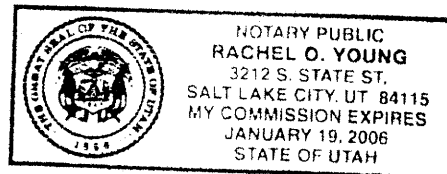
C.A. Gustafson
Sign Name, Position, Date

Subscribed and sworn to before me this 2 day of December, 2002

Rachel O. Young
Notary Public

My commission Expires:

Attest: State of Utah, 2006 } ss:
County of Salt Lake



For Office Use Only:

Assigned Tracking Number:

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DEC 03 2002

DIV. OF OIL, GAS & MINING

APPLICATION FOR COAL PERMIT PROCESSING

Permittee: HLAWATHA COAL CO.

Mine: HIAWATHA COMPLEX

Permit Number: ACT/007/011

Title: Hydrology Update

Provide a detailed listing of all changes to the Mining and Reclamation Plan, which is required as a result of this proposed permit application. Individually list all maps and drawings that are added, replaced, or removed from the plan. Include changes to the table of contents, section of the plan, or other information as needed to specifically locate, identify and revise the existing Mining and Reclamation Plan. Include page, section and drawing number as part of the description.

DESCRIPTION OF MAP, TEXT, OR MATERIAL TO BE CHANGED[illegible]

Any other specific or special instruction required for insertion of this proposal into the Mining and Reclamation Plan.

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DIV. OF OIL, GAS & MINING

Response to Technical Analysis Dated August 8, 2002

R645-300-133.100, References to U.S. Fuel being the mine operator/applicant need to be replaced with Hiawatha Coal Company.

Added plates to help hydrology All remaining referring to U.S. Fuel being the mine operator have been changed.

R645-301-122, Provide a Figure 15 – Stiff diagrams of the mean solute concentrations of creeks springs, and in mine sources from the ‘Mayo 2001’ report.

The ‘Mayo 2001’ report has been included has Appendix 7-21.

R645-301-624.100, Provide a north-south cross-section from the north end of the Hiawatha mine permit extending through Big Bear Spring.

This has been included as Plate 7-23.

R645-301-724.100, Using available historic information, provide a written discussion/chronologic history of where the current discharge from the Mohrland portal originates.

This is discussed on pages 7-14, 7-15, and 7-16 and Plate 7-22.

R645-301-133.100, When referring to the ‘Mayo 2001’ report, make a complete and accurate citation of the reference.

Page numbers have been added to the reference as well as links to the Mayo report that has been added to the MRP.

R645-301-725.300, -728.334, 728.335, Provide a general graphic illustration of the Gentry Mountain hydraulics and the source of the approximately 400 gpm that has consistently reported to the Mohrland portal since 1983.

This is shown on Plates 7-22, 7-23, and pages 7-14, 7-15, and 7-16.

R645-301-622, -722, Provide a east-west cross section through the proposed future mined areas extending from (including) the Bear Canyon fault proceeding through the eastern limit of the mineable area. Also include in the cross section the coal seams, know sandstone unites (potential water-bearing zones) down to and including the Starpoint Sandstone, and any other know geologic features.

Since there are no drill holes in the areas of proposed mining only a general diagram could be provided. Figure 13b of the Mayo report should be adequate for this. East-West Cross-sections of the Mohrland area are also shown on Exhibit 7-5.

R645-301-622, -722, From existing data, illustrate the years areas were mined, proposed areas of future mining, and which areas of the mine are abandoned or inaccessible. In areas of future proposed mining, identify which seams are to be mined, and identify any and all areas of multiple seam extraction.

This has been included on plates 5-2A(Hiawatha Seam), 5-2B (A Seam), 5-2C (B Seam), and 5-2D (Proposed Mine Areas).

R645-301-622, -722, On Exhibit VII-1, clearly identify UPDES sites 003-013 and indicate whether they are active, inactive, or proposed sites.

Sites 003, 004, 005, 006, 007, 008, 009, and 011 are shown on Exhibits 7-8, 7-9, 7-10, 7-11m 7-12, 7-13, 7-14, and 7-15 respectively. They are currently active but have never discharged and we don't expect them to. Sites 010, 012, and 013 are shown on Plate 7-1 and are currently inactive but will be active when mining resumes. Site 003-013 are not included in the current discharge permit but will be included when it is renewed. This is explained in the MRP and also a detailed description of each site is in the MRP.

R645-301-622, 724.500, Using existing data from mine workings map, produce a contour map of the in-mine floor elevations.

This is shown on Plate 6-6 (Structural Contour Map B Seam), Plate 6-9 (Structural Contour Map A Seam), and Plate 6-12 (Structural Contour Map Hiawatha Seam).

R645-301-731.210, Submit existing water quality analysis for the Mohrland portal to the Division database (from 'Mayo 2001' report)

This is included in Appendix 7-21.

R645-301-731.210, Continue water quality analysis for the Mohrland portal outlined in the 'Mayo 2001' report.

Hiawatha Coal Company is monitoring the discharge for all parameters required under the discharge permit.

Also all remaining coal reserves in the Mohrland area are owned by C. W. Mining Company and they are currently working on designs for new portals in the area. Because of this Hiawatha Coal Company feels that any additional water quality analysis should be done by them.

R645-301-731.210, Provide a commitment to conduct additional water analysis of future in-mine flows.

This has been included on page 7-63.

R645-301-731.210, Provide a detailed monitoring plan that clearly outlines where and when additional in-mine monitoring sites will be initiated.

As explained on page 7-101 all portals are sealed so no in mine monitoring can be done. Also as explained once the portals are breached a in-mine water monitoring plan will be developed with input from the Division.

R645-301-731.210, Section R645-301-750 – Performance Standards needs to be added to Chapter 7. Within Section R645-301-750, either outline the current frequency for sampling, reporting requirements, and recipients of the UPDES permit, or clearly reference where this information (specifically) can be found in Appendix 7-5 of the MRP.

This has been included on page 7-139.